

## **RESOLUTION 03-2010**

### **A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CARROLLTON, STATE OF GEORGIA, TO AMEND CHAPTER 22, ARTICLE IV (“PEDDLERS, SOLICITORS AND CANVASSERS”) TO REQUIRE CERTAIN PEDDLERS, SOLICITORS AND CANVASSERS TO ADHERE TO CERTAIN RECORDKEEPING AND REPORTING REQUIREMENTS**

WHEREAS, in a resolution dated January 5, 2009, the Mayor and Council of the City of Carrollton repealed the then existing ordinance governing pawnbrokers in the City of Carrollton and replaced it with a new ordinance governing pawnbrokers in the City of Carrollton, which ordinance is currently codified as Chapter 22, Article VI (“Pawnshops and Pawnbrokers”) of the Code of Ordinances, City of Carrollton, Georgia; and

WHEREAS, Section 22-186 (“Records of transactions”) of the new pawnshop ordinance requires pawnbrokers to maintain and transmit to the city police department electronic records of the pawnshop’s transactions; and

WHEREAS, the Chief of the Carrollton Police Department has reported that the new recordkeeping and reporting requirements have had a positive impact on the transfer of stolen property within the City of Carrollton; and

WHEREAS, the Chief of the Carrollton Police Department has recommended similar recordkeeping and reporting requirements for certain peddlers, solicitors, and canvassers within the City of Carrollton; and

WHEREAS, the Mayor and City Council find it in the public interest to require certain peddlers, solicitors, and canvassers to adhere to the recordkeeping and reporting requirements currently imposed on pawnshops and pawnbrokers within the City of Carrollton.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Carrollton do hereby amend Chapter 22, Article IV (“Peddlers, Solicitors and Canvassers”) by adding a new Section 22-110 as follows:

#### **Sec. 22-110. Records of transactions.**

(a) Every peddler – as that term is defined in Section 22-106 above – who sales, trades, or purchases or who offers for sale, trade, or purchase any gold, silver, jewelry, coins, antiques, or the like shall maintain a permanent electronic record of its transactions in which an accurate description of all property sold, traded, or purchased by the peddler can be transmitted to the city police department via an electronic automated reporting system. Each of these transactions shall contain an accurate description of all property sold, traded, or purchased by the peddler and shall be made at the time of each transaction, provided that the following information is included:

- (1) The date and time of the sale, trade, or purchase of the property.
- (2) The name, address and telephone number of the customer making the sale, trade, or purchase.

- (3) A description of the customer in terms of sex, race, date of birth, height and weight, as well as the driver's license number of the customer or some other identification card which contains a photograph of the customer.
- (4) A description of the property by serial, model or other number, if available, and by any identifying marks (e.g., brand name, color, style, etc.).
- (5) The number of the receipt or transaction issued for the property.
- (6) The price paid or the amount tendered.
- (7) A photograph of the customer and the item sold, traded, or purchased, which will be taken with the electronic automated reporting system at the time of the transaction.
- (8) The signature of the customer.

(b) Every such peddler shall enter each transaction as it occurs into the electronic automated reporting system or may elect to upload electronically via the internet a batch file of all transactions for each business day to the administrator of the electronic automated reporting system immediately at the conclusion of each business day. The administrator of the electronic automated reporting system will electronically transmit all transactions to the city police department.

(c) In the event that the electronic automated reporting system becomes temporarily or permanently disabled, any such peddlers will be notified as soon as possible. In this event, any such peddlers will be required to make records of transactions in paper form. Such paper forms must include all information as enumerated in paragraph (a) of this section. Any such peddlers shall maintain a three-day supply of these paper forms.

(d) Any duly authorized law enforcement officer may, during the ordinary hours of business or any other reasonable time, inspect any such peddler's electronic records at the peddler's place of business to ensure compliance with this section.

(e) The chief of police or his designee shall select and designate the required automated reporting system. There will be a fee assessed to the peddler for each reported transaction, a copy of which fee schedule is on file in the office of the city clerk. This fee will be invoiced to the peddler and collected by the chief of police or his designee, which may be a third party administrator of the automated reporting system.

ADOPTED this 12th day of July, 2010.

MAYOR AND CITY COUNCIL OF CARROLLTON

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Mayor, City of Carrollton

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Clerk, City of Carrollton